

ROBERT S. PERLMUTTER, SBN 183333  
SHUTE, MIHALY & WEINBERGER LLP  
396 Hayes Street  
San Francisco, CA 94102  
Tel: (415) 552-7272  
Fax: (415) 552-5816  
Email: [perlmutter@smwlaw.com](mailto:perlmutter@smwlaw.com)

CRAIG LABADIE, SBN 101681  
MARK S. COON, SBN 128122  
OFFICE OF THE CITY ATTORNEY OF THE CITY OF CONCORD  
1950 Parkside Drive M/S 08  
Concord, CA 94519  
Tel: (925) 671-3160  
Fax: (925) 671-3469  
Email: [mcoon@ci.concord.ca.us](mailto:mcoon@ci.concord.ca.us)

Attorneys for Respondents  
CITY OF CONCORD et al.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CONCORD COMMUNITIES, L.P., d/b/a  
Adobe Mobile Lodge and d/b/a Diablo Mobile  
Lodge; ADOBE ASSOCIATES, LLC, d/b/a  
Adobe Mobile Lodge; DIABLO  
ASSOCIATES, LLC, d/b/a Diablo Mobile  
Lodge,

Petitioners,

v.

CITY OF CONCORD; CITY OF CONCORD  
CITY COUNCIL; and CITY OF CONCORD  
RENT REVIEW BOARD,

Respondents,

and

TENANTS RESIDING AT ADOBE MOBILE  
LODGE AND DIABLO MOBILE LODGE

Real Parties in Interest.

Case No. C05-04094 JSW

**STIPULATION AND  
~~PROPOSED~~ ORDER TO  
CONTINUE CASE  
MANAGEMENT CONFERENCE  
AND INITIAL DISCLOSURES**

Date: March 10, 2006  
Time: 1:30 p.m.  
Location: Courtroom 2  
Judge: Hon. Jeffery S. White

1 Pursuant to Local Rule 7-12, the parties hereto, through their respective  
2 counsel of record, hereby stipulate as follows:

3 1. This action was filed on October 11, 2005 and served on Respondents  
4 City of Concord, City of Concord City Council, and City of Concord Rent Review Board  
5 ("City") on December 9, 2005. On December 22, 2005, Petitioners/Plaintiffs Concord  
6 Communities et al ("Concord Communities") filed a First Amended Petition for Writ of  
7 Mandamus and Complaint ("Amended Petition").

8 2. The Initial Case Management Conference ("CMC") in this case is  
9 currently set for January 13, 2006, and the Initial Disclosures and initial CMC Statement are  
10 currently due on January 6, 2006.

11 3. The City has requested that Concord Communities stipulate to continue:  
12 (a) the CMC until March 10, 2006, and (b) the due date for Initial Disclosures and CMC  
13 Statement until March 3, 2006.

14 4. The City has indicated that the reason for this request is two-fold. First,  
15 the City's counsel needs additional time to prepare the initial disclosures and other materials.  
16 Second, the City anticipates filing within the next week a Motion to Dismiss the Amended  
17 Petition, to be heard on the Court's next available hearing date. The City believes that this  
18 Motion will result in a Court order dismissing some or all of this action and staying the  
19 remainder of this action pending the outcome of related state court proceedings.

20 5. No prior requests for an extension of time have been filed by any party  
21 in this action.

22 //

23 //

6. Without conceding that there are any grounds for the City's Motion, Concord Communities is willing to stipulate to the City's request to continue: (a) the CMC until March 10, 2006, and (b) the due date for Initial Disclosures and CMC Statement until March 3, 2006.

Dated: 12/30/05

SHUTE, MIHALY & WEINBERGER LLP

By: /S/  
ROBERT S. PERLMUTTER  
Attorneys for Respondents  
CITY OF CONCORD; CITY OF CONCORD CITY  
COUNCIL; and CITY OF CONCORD RENT REVIEW  
BOARD

Dated: 12/30/05

LAW OFFICE OF ANTHONY C. RODRIGUEZ

By: /S/  
ANTHONY C. RODRIGUEZ  
Attorneys for Petitioners  
CONCORD COMMUNITIES, L.P., d/b/a Adobe Mobile  
Lodge and d/b/a Diablo Mobile Lodge; ADOBE  
ASSOCIATES, LLC, d/b/a Adobe Mobile Lodge;  
DIABLO ASSOCIATES, LLC, d/b/a Diablo Mobile  
Lodge,

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: January 6, 2006

By:   
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE